

# Court of Appeals, State of Michigan

## ORDER

People of MI v Samuel Damond Chancellor

Docket No. 307169

LC No. 11-003386-FC

Kurtis T. Wilder  
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood  
Judges

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In lieu of granting the application, the Court orders that the October 28, 2011, order of the Wayne County Circuit Court denying the admission of other acts evidence hereby is REVERSED. MCL 768.27a clearly provides that where, as here, defendant is accused of committing criminal sexual conduct against a minor, evidence that the defendant committed another criminal sexual offense against a minor is admissible and may be considered regarding any matter to which it is relevant. See *People v Anthony Smith (On Remand)*, 282 Mich App 191; 772 NW2d 428 (2009). The circuit court thus abused its discretion in denying admission of the evidence regarding defendant's 2010 second-degree criminal sexual conduct against a minor on the basis of unfair prejudice. The case is REMANDED to the circuit court for further proceedings consistent with this order.

This order is to have immediate effect, MCR 7.215(F)(2).

The Court retains no further jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

JAN 18 2012

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk